

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 12, 2008

DIVISION TWO

B193931 Creese, et al. (Not for Publication)
 v.
 Washington Mutual Bank

The order denying class certification is affirmed. Bank shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B194752 Kirtland & Packard, LLP (Not for Publication)
 v.
 Iron Mountain, Inc.

The order of the trial court is affirmed. K&P is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
 Chavez, J.

March 12, 2008 (Continued)

DIVISION TWO (continued)

B195601 People (Not for Publication)

V.
Clarke

The judgment is reversed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

B200426 Los Angeles County, D.C.S. (Not for Publication)

V.
Jason E.

The order terminating parental rights is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B200380 Los Angeles County, D.C.S. (Not for Publication)

v.
Yvonne A.

The order is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (continued)

B196866 People (Not for Publication)

V.

James Flenory

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

DIVISION FIVE

B200879 Keith Williams (Not for Publication)

V.

David Behrend et al

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.

Mosk, J.

B199436 Los Angeles County, D.C.S. (Not for Publication)

V.

Muriah R.

In re: Muriah R., et al.

The judgment and orders are affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.

Mosk, J.

DIVISION FIVE (continued)

B202892 Los Angeles County, D.C.S. (Not for Publication)
v.
Anthony T.
In re Kaliyah K.

The orders are affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

B193843 Richard Kim (Not for Publication)
v.
Robert McCulloch et al

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

B198253 Mark Neville (Certified for Publication)
v.
Greg Chudacoff et al

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

March 12, 2008 (Continued)

DIVISION FIVE (continued)

B194562 Jessie Nava (Not for Publication)

v.

Power Chevrolet El Monte

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

B199968 Beverly Belletich (Not for Publication)

v.

Carley, LLC DBA as Wetzel's Pretzels, et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

Court convened at 9:00 a.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B193873 Fateh v. Paymard
B194376 Erikson v. Erikson

Oral argument continued to April, 2008.

DIVISION SIX (continued)

B199963 Human Services Agency

v.

Rose W.

Merits:

Argument previously waived by appellant. Argued by Linda L. Stevenson, Assistant County Counsel, for respondent. Cause submitted.

B196660 Kayla C.

v.

Poett

Merits:

Argued by Penny Clemmons for respondent and Frank Cuykendall appears for appellant and waives argument. Cause submitted.

B194707 Manthey

v.

Norcal Mutual Ins. Co.

Merits:

Argued by Russell Manthey, appellant in propria persona and by Theodore D. Poppinga for respondent. Cause submitted.

B193622 MacDonald

v.

Wheeler

Merits:

Argued by Robert S. MacDonald, appellant in propria persona and by John Gregory Derrick for respondent. Cause submitted.

DIVISION SIX (continued)

B194659 People
 v.
 Southside Chiques (Delucas)

Merits:

Argued by Michael C. McMahon, Chief Deputy Public Defender for appellant Delucas and by Michael D. Schwartz, Special Assistant District Attorney for respondent.

In open court appellant does not oppose respondent's letter brief submitted this date provided he is allowed an opportunity to respond in writing. Counsel for appellant is given ten (10) days to serve and file a letter brief in response. Submission is deferred ten (10) days.

B197314 Cruz
 v.
 J.J. O'Malley's Inc.

Merits:

Argued by Wendy C. Lascher for appellant and by David K. Dorenfeld for respondents. Cause submitted.

Yegan, J. left the bench.

B191897 Republic Western Ins. Co.
 v.
 Santa Barbara Villas, LP

Merits:

Argued by A. Barry Cappello for appellants and by David S. Ettinger for respondent. Cause submitted.

March 12, 2008 (Continued)

DIVISION SIX (continued)

Yegan, J. returned to the bench.

Coffee, J. left the bench.

B197015 Sithe Energies, Inc.
 v.
 General Electric Co.

Merits:

Argued by Robbie Moehlmann, counsel appearing pro hac vice, for appellants and by James Michael Hanlon for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B186055 Union Oil Co. of Calif. v. Greka Energy Corp.

Oral argument continued to May, 2008.

Each of the following:

B199301 Child Welfare Services v. Ruben R.

B201334 Dept. of Social Services v. Errin M.

Argument waived, cause submitted.

DIVISION SIX (continued)

B197344 Edberg
 v.
 Team Infiniti LLC

Merits:

Argued by Stephen Dunham Enerle for appellant and argument previously waived by respondent. Cause submitted.

B165901 Chacon
 v.
 Chacon
 (Albertini)

Merits:

Argued by Eugene J. Albertini for appellant and argument waived pursuant to Rule 8.220(a)(2), Cal. Rules of Court, by respondents. Cause submitted.

B198445 Thorndike
 v.
 Calif. Dept. of Fish and Game

Merits:

Argued by John P. Thorndike, IV, appellant in propria persona and by Kenneth G. Lake, Deputy Attorney General, for respondent. Cause submitted.

DIVISION SIX (continued)

B197307 Burkey
 v.
 State of California

Merits:

Argued by John Gherini for appellant and by Susan K. Leach, Deputy Attorney General, for respondent State of California. Argument previously waived by respondent County of Santa Barbara. Cause submitted.

B198282 Pace
 v.
 Kirker

Merits:

Argued by Julie A. Bachman, Deputy Attorney General, for respondent. Appellant did not appear due to his incarcerated custody status. Cause submitted.

B197955 City of Atascadero
 v.
 Pacific Gas & Electric

Merits:

Argued by Howard B. Golds for appellant and by Thomas Donald Green for respondent. Cause submitted.

B199345 Marie
 v.
 Kirby

Merits:

Argued by Wiley Ramey for appellant and by Christian E. Iversen for respondent. Cause submitted.

March 12, 2008 (Continued)

DIVISION SIX (continued)

Yegan, J. left the bench.

B204704 Jesse Y.
v.
Santa Barbara Superior Court
(Child Welfare Services, r.p.i.)

Extraordinary Writ:
Presented by Jesse Y., petitioner in propria persona and by Toni Lorient,
Deputy County Counsel, for real party in interest. Cause submitted.

Court adjourned at 3:00 p.m.

DIVISION SEVEN

B197844 People (Not for Publication)
v.
Walton

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

B198656 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION SEVEN (continued)

B196468 People v. Hands (Not for Publication)

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B199009 People (Not for Publication)
v.
Yanez

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B197018 Committee to Save, etc. (Not for Publication)
v.
City of Los Angeles
Cutler

The judgment of the superior court is affirmed in part and reversed in part. The trial court is directed to grant Committee's petition for a writ of mandamus and require the City to vacate its issuance of an exemption under CEQA. In all other respects, the judgment granting an exception to the HSP is affirmed. The parties are to bear their own costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
Wiley, J. (Assigned)